PATENT Atty Dkt. TEJ/0004

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Thomas G. Hill, Jr. et al.

Serial No.: 10/

Confirmation No.:

Filed:

June | 2003

For: Method and Apparatus for

Locking Out a Subsurface

Safety Valve

Group Art Unit: 3672

Examiner:

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MAIL STOP PATENT APPLICATION Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

CERTIFICATE OF MAILING 37 CFR 1.8

I hereby certify that this correspondence is being deposited on June <u>20</u>, 2003, in an envelope marked as "Express Mail United States Postal Service", Mailing Label No. EV 155453175 US, addressed to: MAIL STOP PATENT APPLICATION, Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450.

June 20, 2003

Signature

Dear Sir:

## PETITION FOR FILING PATENT APPLICATION WITHOUT SIGNATURE OF ONE OF THE INVENTORS

This Petition is filed pursuant to 37 CFR §1.47 in order to procure filing of the above-entitled patent application without signature of one of the inventors. Section 1.41 of Title 37 of the Code of Federal Regulations requires that an Oath or Declaration be signed by each inventor in connection with a patent application. Requirements for the Oath or Declaration are set out in Section 1.63. In the present case, one of the four named inventors is unavailable to execute the Oath or Declaration pursuant to Section 1.63. Accordingly, the present Petition is filed.

In support of this Petition, the Assignee of rights in and to the inventions for the above-entitled application would show that there are four named inventors on the application, to wit, Thomas G. Hill, Jr., Thomas Michael Deaton, Neil A.A. Simpson and Rory L. Hodge. At the time the subject inventions were conceived and reduced to practice, Mr. Hill, Mr. Deaton and Mr. Simpson were employees of Tejas Research & Engineering, LP. Tejas Research & Engineering is an independent

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engineering firm located in Houston, Texas. Mr. Simpson was an employee of Astec Development Company. Astec Development Company is a company from the United Kingdom located in Aberdeen, Scotland.

Each of the inventors is under a legal obligation to assign the subject inventions to Weatherford/Lamb, Inc.

Mr. Michael Deaton is no longer under the employ of Tejas Research & Engineering. Despite efforts of counsel for Assignee, Weatherford/Lamb, Inc., Mr. Deaton has not returned the signed Oath or Declaration required under 37 CFR §§ 1.41(a) and 1.63. Accordingly, the present Petition is submitted.

In further support of the present Petition, a Joint Declaration is submitted by Peter L. Brewer and Thomas G. Hill, Jr. The signed Declaration is filed herewith in accordance with Section 409.03(d) of the *Manual of Patent Examining Procedures*.

Weatherford/Lamb, Inc. respectfully requests that the above-entitled patent application be filed and examined without the submission of a signed Oath or Declaration from Thomas Michael Deaton.

The Commissioner is hereby authorized to charge the fee of \$130.00, and any other fees associated with this Petition to counsel's Deposit Account No. 20-0782/TEJ/0004/WBP. To facilitate that charge, a duplicate copy of this letter is enclosed herewith.

Respectfully submitted,

William B. Patterson

Registration No. 34,102

Peter L. Brewer

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